

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

Jacob William Johnson

v.

Civil No. 20-cv-398-JL

Dr. Celia Englander et al.<sup>1</sup>

**O R D E R**

After due consideration of Plaintiff Jacob William Johnson's Objections (Doc. Nos. 16, 20) to Magistrate Judge Andrea K. Johnstone's December 15, 2021 Report and Recommendation (Doc. No. 7) ("2021 R&R"), and noting that Mr. Johnson has not objected to the Magistrate Judge Johnstone's December 19, 2022 Report and Recommendation (Doc. No. 68) ("2022 R&R"), I herewith approve both the 2021 R&R and the 2022 R&R, for the reasons explained therein, as follows. Specifically, the Court dismisses:

1. All claims Mr. Johnson has asserted on behalf of his mother or any prisoner other than himself, without prejudice;
2. The following claims, for failure to state a claim upon which relief might be granted:
  - a. all of the claims asserted against any defendant in his or her official capacity,
  - b. all of the claims asserted against any defendant in his or her supervisory capacity,
  - c. all of the claims based on any defendant's alleged

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<sup>1</sup> The plaintiff identifies Dr. Cecilia Englander as a defendant to this case. Per her February 23, 2022 Answer (Doc. No. 36) filed in this case, her name is Dr. Celia Englander. The Clerk's office is directed to correct the docket accordingly.

violation of prison policy,

d. all of the claims based on any defendant's interference with prison administrative grievances,

e. all of the claims asserting that any defendant verbally harassed Mr. Johnson,

f. all of the claims based on any defendant's alleged criminal conduct,

g. all of the claims based on any defendant's alleged violation of the Prison Rape Elimination Act,

h. all of the claims asserting a substantive due process violation, and

i. the claims identified in the 2021 R&R as Claims 1(d)(ii), 1(e)(ii), 1(h)(v)-(vi), 3(a)-(e), 3(g)-(h), 4(b)(ii), 5(a)-(c), and 8-12; and

3. The following named defendants are dismissed from this action: the New Hampshire Department of Corrections ("DOC"), DOC Commissioner Helen Hanks, former DOC Commissioner William Wrenn, DOC Director of Forensic and Medical Services Paula Mattis, DOC Attorney Lynmarie Cusack, New Hampshire State Prison for Men ("NHSP") Warden Michelle Edmark, former NHSP Warden Michael Zenk, DOC employee Douglas Laidlaw, and NHSP Nursing Coordinators Ryan Landry and Carlene Ferrier.

4. The Court also notes that Mr. Johnson has voluntarily dismissed Claims 1(n) and 3(f), asserted against NHSP Nurse Anne Marie McCoolle, and Claim 7, asserted against DOC employee Barbara Slayton.

SO ORDERED.



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Samantha D. Elliott  
United States District Judge

Date: January 11, 2023

cc: Jacob William Johnson, pro se  
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